UNITED STATES DISTRICT COURT EASTERN DISTRICT OF PENNSYLVANIA

CASE NO. 2:19-cv-01170- MSG

STEWART SMITH, individually and on behalf of all others similarly situated,

Plaintiff,

v.

EGV COMPANIES, INC., a Missouri Limited Liability Company,

Defendants.

STIPULATION AND AGREED MOTION FOR ENLARGEMENT OF TIME FOR <u>DEFENDANT TO RESPOND TO PLAINTIFF'S COMPLAINT</u>

The parties, by and through their respective undersigned counsel, pursuant to Fed. R. Civ. P. 6(b), file this joint stipulation and agreed motion to enlarge the time for Defendant, EGV Companies, Inc. ("Defendant"), to respond to Plaintiff, Stewart Smith's ("Plaintiff"), Complaint from April 22, 2019, until and including May 20, 2019, and state as follows:

- 1. On March 19, 2019, Plaintiff filed his Complaint seeking to allege claims pursuant to the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq., (the "Complaint") in the United States District Court for the Eastern District of Pennsylvania.
- 2. On or around April 1, 2019, Defendant was served with the Complaint, such that a response is due on or before April 22, 2019.
- 3. Defendant retained the undersigned to investigate and attempt to settle the allegations and claims asserted in the Complaint.
- 4. The parties are currently engaging in discussions regarding the underlying facts and the potential for resolving the litigation at an early stage of the proceedings.

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5. This enlargement of time is not sought in bad faith or for the purposes of delay and will

not prejudice any party.

6. WHEREFORE, the parties respectfully request the Court to enter an Order enlarging the

time through and including May 20, 2019 for Defendant to respond to Plaintiff's Complaint.

CERTIFICATE OF CONFERRAL

Prior to filing this Stipulation and Agreed Motion for Enlargement of Time, the

undersigned counsel for Defendant and the undersigned counsel for Plaintiff conferred in an

effort to resolve the matters addressed herein. Counsel for the respective parties have agreed to

the stipulated enlargement of time for Defendant to respond to Plaintiff's Complaint until and

including May 20, 2019.

Dated: May 7, 2019

/s/ Barry Cohen

BARRY COHEN

Email: bcohen@rccblaw.com Two Logan Square 00 N. 18th Street, Suite 710 Philadelphia, PA 19103

Attorney for Plaintiff Stewart Smith

/s/ Thomas J. Campenni

THOMAS J. CAMPENNI

Email: tcampenni@rjglaw.com Rosenn, Jenkins & Greenwald, LLP

15 South Franklin Street

Wilkes-Barre, PA 18711-0075

Attorney for Defendant, EGV Companies, Inc.

SO ORDERED THIS day of May, 2019

BY THE COURT:

The Honorable Mitchell S. Goldberg, U.S.D.J.

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behalf of all others similarly situated,
Plaintiff,
v.
EGV COMPANIES, INC., a Missouri Limited Liability Company,
Defendants.

STEWART SMITH, individually and on

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of May, 2019, I electronically filed the foregoing Stipulation and Agreed Motion for Enlargement of Time for Defendants EGV Companies, Inc. to Respond to Plaintiff's Complaint with the Clerk of the Court by using the Court's CM/ECF system. I also certify that the foregoing is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

By: <u>/s/ Thomas J. Campenni</u> THOMAS J. CAMPENNI

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